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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/665,205	09/18/2000	Nathan F. Raciborski	19396-000300US	4086

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EXAMINER
BAUGH, APRIL L

ART UNIT	PAPER NUMBER
2141	14

DATE MAILED: 08/25/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

<table>
<tr>
<td rowspan="2"></td>
<td colspan="2" align="center">Application No.</td>
<td colspan="2" align="center">Applicant(s)</td>
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<tr>
<td colspan="2">09/665,205</td>
<td colspan="2">RACIBORSKI ET AL.</td>
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	Application No.	**Applicant(s)**
Office Action Summary	09/665,205	RACIBORSKI ET AL.
	Examiner	**Art Unit**
	April L Baugh	2141

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-21* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-21* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

Applicant has amended claim 1, 9, and 17 and added new claims 19-21 and therefore

claims 1-21 are now pending.

Response to Arguments

1.   Applicant's arguments filed 4/28/04 have been fully considered but they are not

persuasive. Applicant argues that the prior art does not teach "remote content location

information located with the content source", "storing location for each of the one or

more content objects stored by the content exchanges", and "content manager located

with the content server that uses the content location information to direct a client

requesting a content object". The Examiner's position is that Kangasharju et al. teaches

the above limitations (page 2, column 2, 2nd full paragraph, page 3, column 1, 1st-2nd full

paragraph and column 2, 1st full paragraph, page 4, column 1, 1st partial paragraph, page

6, column 2, 2nd full paragraph, page 8, column 2, 2nd full paragraph).

Kanagasharju et al. discloses, '…mapping a URL to a list of object servers that

contain the URL, with each server on the list having associated freshness information.

The authoritative location server contains a list of resource records for the URL, that is, a

list of object servers that contain the URL. …it sends a query to a root location server

(L2). If L2 does not have the location information cached, it returns the address of a

location server responsible for the domain of the origin server… A browser first sends an

HTTP request for an object to its proxy cache…the proxy cache invokes LDS to obtain a

list of all the object servers that contain the object. The proxy cache then chooses the

"best" object server from the list and forwards the HTTP request to this object server...'.

It is the examiner's opinion that the object servers are similar to content exchanges and

thus the location information for the URL (content objects) is stored. Further more the

location server, which contains the resource records, is located in the domain of the origin

server (content source). Lastly, the proxy cache (content manager located with the

content server) redirects a client's request for an object.

Claim Rejections - 35 USC § 102

1.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

2.   Claims 17 and 18 rejected under 35 U.S.C. 102(a) as being unpatentable by Non-

Patent Literature, "Locating Copies of Objects Using the Domain Name System" to

Kangasharju et al..

Referring to claim 17, Kangasharju et al. teaches a content serving system for

tracking content objects, the content serving system comprising: a content server

comprising one or more content objects; a plurality of content exchanges remotely

located from the content server comprising copies of the one or more content objects and

partial copies of the one or more content objects (page 1, column 1, lines 2-9 and page 2,

column 2, lines 29-44); a local content catalog comprising information on the one or

more content objects stored on the content server (page 3, column 1, lines 13-16); content

location information comprising location information for the one or more content objects

(page 1, column 1, lines 11-14 and 24-26); and a content manager that directs a

requesting client to one of a plurality of content exchanges that can serve the one or more

content objects based upon the content location information, wherein the content manager

is located with the content server (page 3, column 2, 1st full paragraph and page 6,

column 2, 2nd full paragraph and page 8, column 2, 2nd full paragraph).

Referring to claim 18, Kangasharju et al. teaches the content serving system for

tracking content objects of claim 17, wherein each content exchange comprises a content

store for caching the copies and partial copies (page 1, column 1, lines 2-9).

Claim Rejections - 35 USC § 103

1.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

2.   Claims 1-4, 6-12, and 14-16 rejected under 35 U.S.C. 103(a) as being

unpatentable over Non-Patent Literature, "Locating Copies of Objects Using the Domain

Name System" to Kangasharju et al. in view of Ahuja et al.

Referring to claim 1, Kangasharju et al. teaches a content serving system for

tracking content objects stored on a plurality of remotely-located content exchanges, the

content serving system comprising: a content server coupled to the content source and

comprising one or more content objects, wherein the content server provides copies and

partial copies of the one or more content objects (page 1, column 1, lines 2-9 and page 2, column 2, lines 29-44); a local content catalog comprising information on the one or more content objects stored on the content server (page 3, column 1, lines 13-16); and content location information remotely located from the content exchanges and located with the content source, wherein the content information comprises location information for the copies and partial copies (page 1, column 1, lines 11-14 and 24-26 and page 3, column 2, 2nd full paragraph, page 4, column 1, 1st partial paragraph, and page 8, column 2, 2nd full paragraph).

Kangasharju et al. does not teach a content source. Ahuja et al. teaches a content source providing a content object (column 3, lines 61-64). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the location data system of Kangasharju et al. by having a content source because the content stored on the content server and replicated servers must be provided from some source that creates the content.

Referring to claim 9, Kangasharju et al. teaches a content serving system for tracking content objects stored on a plurality of remotely-located content exchanges, the content serving system comprising: a content server coupled to the content source and comprising one or more content objects, wherein the content server provides copies and partial copies of the one or more content objects (page 1, column 1, lines 2-9 and page 2, column 2, lines 29-44); a local content catalog comprising information on the one or more content objects stored on the content server (page 3, column 1, lines 13-16); and location information for each of the one or more content objects stored by the plurality of remotely-located content exchanges (page 1, column 1, lines 11-14 and 24-26 and page 3,

column 2, 1st full paragraph and page 6, column 2, 2nd full paragraph, page 8, column 2,

2nd full paragraph).

Kangasharju et al. does not teach a content source. Ahuja et al. teaches a content

source providing a content object (column 3, lines 61-64). Therefore it would have been

obvious to one of ordinary skill in the art at the time the invention was made to modify

the location data system of Kangasharju et al. by having a content source because the

content stored on the content server and replicated servers must be provided from some

source that creates the content.

Regarding claim 3 and 11, Kangasharju et al. teaches the content serving system

for tracking content objects stored on the plurality of remotely-located content exchanges

of claim 1 and 9 (page 1, column 1, lines 2-9).

Kangasharju et al. does not teach a content source. Ahuja et al. teaches wherein

the content source is one of a live web cam, a video or audio feed, a data object, a data

stream, a video tape or audio tape, an optical or magnetic disk (column 3, lines 61-64).

Therefore it would have been obvious to one of ordinary skill in the art at the time the

invention was made to modify the location data system of Kangasharju et al. by having a

content source because the content stored on the content server and replicated servers

must be provided from some source that creates the content.

Regarding claim 2, Kangasharju et al. teaches the content serving system for

tracking content objects stored on the plurality of remotely-located content exchanges of

claim 1, further comprising location information for the plurality of remotely-located

content exchanges (page 1, column 1, lines 11-14 and 24-26).

Regarding claim 4 and 12, Kangasharju et al. teaches the content serving system
for tracking content objects stored on the plurality of remotely-located content exchanges
of claim 1 and 10, further comprising a content manager coupled to the local content
catalog and the content location information (page 4, column 1, line 37)..

Regarding claim 6 and 14, Kangasharju et al. teaches the content serving system
for tracking content objects stored on the plurality of remotely-located content exchanges
of claim 1 and 9, wherein the content location information comprises a location of a
content exchange that has a copy of the content object (page 1, column 1, lines 11-14 and
24-26 and page 3, column 1, lines 4-11).

Regarding claim 7 and 15, Kangasharju et al. teaches the content serving system
for tracking content objects stored on the plurality of remotely-located content exchanges
of claim 1 and 9, wherein the local content catalog comprises information on one or more
content objects published to the Internet (page 3, column 1, lines 13-16 and column 2,
lines 30-31).

Regarding claim 8 and 16, Kangasharju et al. teaches the content serving system
for tracking content objects stored on the plurality of remotely-located content exchanges
of claim 1 and 9, wherein the content location information comprises location
information on one or more content object portions (page 2, column 2, lines 29-44 and
page 9, column 1, lines 23-24).

Regarding claim 10, Kangasharju et al. teaches the content serving system for
tracking content objects stored on the plurality of remotely-located content exchanges of
claim 9, further comprising content location information remotely located from the

content exchanges and comprising location information for the copies and partial copies
(page 9, column 1, lines 23-24).

Regarding claim 19, Kangasharju et al. teaches the content serving system for
tracking content objects stored on the plurality of remotely-located content exchanges of
claim 1, wherein the content source is an originating source of content object in the
content serving system (page 2, column 2, 2nd full paragraph).

Regarding claim 20, Kangasharju et al. teaches the content serving system for
tracking content objects stored on the plurality of remotely-located content exchanges of
claim 1, wherein an unpublished content objects is on the content server, but unavailable
to the content serving system (page 6, column 1, 4th full paragraph).

Regarding claim 21, Kangasharju et al. teaches the content serving system for
tracking content objects stored on the plurality of remotely-located content exchanges of
claim 9, wherein the location information indicates which of the plurality of remotely-
located content exchanges stores each of the one or more content objects (page 3, column
1, 1st-2nd full paragraphs and column 2, 1st full paragraph, and page 8, column 2, 2nd full
paragraph).

3.   Claims 5 and 13 rejected under 35 U.S.C. 103(a) as being unpatentable over Non-
Patent Literature, "Locating Copies of Objects Using the Domain Name System" to
Kangasharju et al. in view of Ahuja et al. as applied to claims 1-4, 6-12, and 14-16 above,
and further in view of Lindbo et al.

Regarding claim 5 and 13, Kangasharju et al. in view of Ahuja et al. teaches the
content serving system for tracking content objects stored on the plurality of remotely-

located content exchanges of claim 4 and 12 (page 1, column 1, lines 2-9 of Kangasharju et al.).

Kangasharju et al. in view of Ahuja et al. does not teach that the content exchanges are across the Internet from the content server. Lindbo et al. teaches wherein the plurality of remotely-located content exchanges are across the Internet from the content server (Fig.3). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the content manager of Kangasharju et al. in view of Ahuja et al. by having the content exchanges across the Internet from the content server because the exchanges should not be local to the content server. The purpose of the exchanges is to be in remote locations away from the content server therefore providing replicated info quicker and more efficiently.

Conclusion

1.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following patents are cited to further show the state of the art with respect to content managers in general: Lewis et al., Knauerhase et al., Schuba et al., Kraft et al., Kraft, Meyerzon et al., Emens et al.

2.   Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL.** See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the

advisory action. In no event, however, will the statutory period for reply expire later than

SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to April L Baugh whose telephone number is 703-305-5317.

The examiner can normally be reached on Monday-Friday 8:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Rupal D Dharia can be reached on 703-305-4003. The fax phone number for

the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

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more information about the PAIR system, see http://pair-direct.uspto.gov. Should you

have questions on access to the Private PAIR system, contact the Electronic Business

Center (EBC) at 866-217-9197 (toll-free).

ALB

RUPAL DHARIA
SUPERVISORY PATENT EXAMINER